

Wetlands Applications Decision Report

Decisions Taken
01/27/2020 to 02/02/2020

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or atappeals@des.nh.gov. The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

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MAJOR IMPACT PROJECT

2018-03726

SANBORN, GREGORY

RUMNEY CLARK BROOK

Requested Action:

Dredge and fill 10,850 square feet (impacting 230 linear feet) within the bed of Clark Brook, a perennial Tier 3 tributary to the Baker River, to restore the original flow of the brook following deposition of debris during the October 2017 storm event. Impacts will consist of dredging an area of 125 feet by 49 feet (Section 1), dredging an area of 105 feet by 45 feet (Section 2), and installing 66 linear feet of bank rip rap measuring 3 feet in height.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP

Dredge and fill 10,850 square feet (impacting 230 linear feet) within the bed of Clark Brook, a perennial Tier 3 tributary to the Baker River, to restore the original flow of the brook following deposition of debris during the October 2017 storm event. Impacts will consist of dredging an area of 125 feet by 49 feet (Section 1), dredging an area of 105 feet by 45 feet (Section 2), and installing 66 linear feet of bank rip rap measuring 3 feet in height.

With Findings:

1. A request for additional information dated January 23, 2019 addressed to the applicant or agent of record, clearly identified the requirement that the applicant submit additional information to NHDES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (2), if the requested additional information is not received by NHDES within 60 days of the request, or by the deadline date specified in agreed-to time extensions, NHDES shall deny the application.
3. A time extension agreement dated March 8, 2019 extended the deadline until June 30, 2019. A second time extension agreement dated July 1, 2019 extended the deadline until December 30, 2019.
4. NHDES did not receive the requested additional information within the 60 days or by the deadline specified in the extensions thereof, and therefore the application has been denied.

2019-02216

SINGING EAGLE LODGE AT CLIFFORD POINTE LLC

MOULTONBOROUGH SQUAM LAKE

Requested Action:

Raze an existing 40 foot 2 inch x 32 foot 5 inch, two-story, dug-in boathouse and contiguous 31 foot x 11 foot 7 inch bunkhouse; construct a 40 foot 2 inch x 39 foot 9 inch, two-story, boathouse using the pre-existing foundation within the lake and replace 356 square feet of patio, in kind, along an average of 953 linear feet of shoreline frontage along Squam Lake in Moultonborough.

APPROVE PERMIT

Raze an existing 40 foot 2 inch x 32 foot 5 inch, two-story, dug-in boathouse and contiguous 31 foot x 11 foot 7 inch bunkhouse; construct a 40 foot 2 inch x 39 foot 9 inch, two-story, boathouse using the pre-existing foundation within the lake and replace 356 square feet of patio, in kind, along an average of 953 linear feet of shoreline frontage along Squam Lake in Moultonborough.

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With Conditions:

1. All work shall be in accordance with revised plans by Watermark Marine Construction revision dated July 15, 2019 and as received by the NH Department of Environmental Services (NHDES) on July 19, 2019.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the NHDES Wetlands Bureau by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Pursuant to RSA 482-A:26, at no time shall this structure be modified to include kitchen or bathroom facilities.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
9. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
10. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
11. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
12. This permit shall not preclude NHDES from initiating appropriate action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.
13. Repairs shall maintain the size, location, and configuration of the approved structures.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), modification of docking facilities that provide 5 or more boat slips.
2. This application was filed and deemed complete prior to December 15, 2019, and therefore, was reviewed for compliance with Administrative Rules Chapters Env-Wt 100 - 900 in effect on the date of filing.
3. The applicant has an average of 953 feet of frontage along Squam Lake.
4. A maximum of 13 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The docking facilities on the frontage consists of the existing boathouse which provides 3 slips and a separate 2 slip docking structure located to the west of the boathouse.
6. The docking facilities will continue to provide 5 slips as defined per RSA 482-A:2, VIII on the frontage with 3 of those slips located within the reconfigured boathouse, and therefore will meet Rule Env-Wt 402.13.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the NHDES' jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
9. The proposed reconfiguration of the boathouse results in a reduction in both the overall volume and square footage of boathouse.
10. The proposed reconfiguration of the boathouse shifts a greater portion of the structure over land and reduces the area and volume of the structure over public waters.
11. The NHDES finds that because the project is not of significant public interest and will not significantly impair the resources of Squam Lake a public hearing under RSA 482-A:8 is not required.
12. The Applicant has requested a waiver of Rule Env-Wt 402.21, Modification of Existing Structures, pursuant to Part Env-Wt 204, Waivers.
13. The NHDES finds that granting the requested waiver will not result in an adverse effect to the environment or natural resources of the state, public health, or public safety that is more significant than that which would result from complying with Rule Env-Wt 402.21.
14. The NHDES finds that granting the requested waiver to allow modifications that reduce the overall footprint and volume of the structure is consistent with the intent and purpose of the Rule Env-Wt 402.21.
15. The NHDES finds that the requirements of Rule Env-Wt 204.04, Criteria, have been met, therefore, the waiver of Rule Env-Wt 402.21 is granted.

-Send to Governor and Executive Council-

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2019-02674

MCCLELLAN, JOHN

HARTS LOCATION BEMIS BROOK

Requested Action:

Dredge and fill 1,765 square feet (SF) within the bed and bank of Bemis Brook (Tier 3, impacting 158 linear feet (LF)) to replace the existing 41.5 foot span, 15 foot wide steel bridge with a 35 foot wide floodplain channel with a 66 foot span, 15 foot wide steel bridge. In addition, temporarily impact 425 SF of stream channel and 2,020 SF of stream bank (impacting 165 LF) to accommodate construction access and installation.

Conservation Commission/Staff Comments:

10/21 - Saco-Swift LAC reviewed the application and had no comments.

APPROVE PERMIT

Dredge and fill 1,765 square feet (SF) within the bed and bank of Bemis Brook (Tier 3, impacting 158 linear feet (LF)) to replace the existing 41.5 foot span, 15 foot wide steel bridge with a 35 foot wide floodplain channel with a 66 foot span, 15 foot wide steel bridge. In addition, temporarily impact 425 SF of stream channel and 2,020 SF of stream bank (impacting 165 LF) to accommodate construction access and installation.

With Conditions:

1. All work shall be in accordance with plans by John McClellan, PE dated August 2, 2019 and revised on January 23, 2020, received electronically by NHDES on January 23, 2020.
2. Not less than five (5) state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau and the local conservation commission in writing of the date on which work under this permit is expected to start.
3. Work within the river, inclusive of work associated with installation of cofferdams, shall be done during periods of low flow only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events. All in-stream work shall be conducted in a manner that will not cause or contribute to any violations of surface water quality standards in RSA 485-A or NH Code Admin. Rules Env-Wq 1700.
4. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized. Erosion control products shall be installed per manufacturers recommended specifications.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.
8. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation should be replanted with seedlings of like native species and seeded with a conservation mix and mulched within three (3) days of the completion of the disturbance.
9. No machinery shall enter the water.
10. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
11. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
13. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
14. The turbidity controls shall be entirely removed within 2 days after work within the controls is completed and water has returned to normal clarity.
15. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species

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such as Purple Loosestrife, Knotweed, or Common Reed. The contractor responsible for work shall appropriately address invasive species in accordance with the NH Department of Transportation Best Management Practices for Roadside Invasive Plants (2008).

16. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site. Restoration shall not be considered successful if sites are invaded by nuisance species during the first full growing season following the completion of construction. The permittee shall submit a remediation plan to NHDES that proposes measures to be taken to eradicate nuisance species.

17. Only native plant species shall be used to revegetate the riverbank.

18. A Certified Wetlands Scientist or Qualified Professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the NHDES Wetlands Bureau within 60 days of final site stabilization.

With Findings:

1. This is a Major Project per NH Administrative Rule Env-Wt 903.01(g)(1), as the project is a replacement Tier 3 stream crossing.
2. The project will replace the existing 41.5 foot span, 15 foot wide steel bridge with a 35 foot wide floodplain channel with a 66 foot span, 15 foot wide steel bridge.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03 as they will only impact the river channel and bank to the degree necessary.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The project will improve hydraulic and geomorphic compatibility of the stream crossing to the greatest degree practicable, and is considered a self-mitigating, alternative design. The amount of large woody material carried during storm events precludes the addition of floodplain culverts that would further improve hydraulic and geomorphic compatibility.
5. The Town of Harts Location Conservation Commission, the abutters, and the public provided no comments regarding the project.
6. In a review letter dated March 24, 2019, the NH Natural Heritage Bureau identified recorded occurrences of sensitive species in the vicinity of the proposed project, but determined that it is not expected to be impacted by the project.
7. According to NH Department of Fish & Game, Bemis Brook is a predictive coldwater fishery.

2019-02988

LUTHERAN OUTDOOR MINISTRIES OF NEW ENGLAND, AKA CAMP CALUMET

FREEDOM OSSIPEE LAKE

Requested Action:

Impact 5,970 square feet of bank in order to construct 511 linear feet of retaining wall along the landward side of an existing beach on an average of 1266 feet of frontage along Ossipee Lake in Freedom.

APPROVE PERMIT

Impact 5,970 square feet of bank in order to construct 511 linear feet of retaining wall along the landward side of an existing beach on an average of 1266 feet of frontage along Ossipee Lake in Freedom.

With Conditions:

1. All work shall be in accordance with plans by Scott Lees Jr. and David Lees dated March 9, 2019, as received by DES on September 23, 2019.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction,

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- and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
 7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
 8. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
 9. Work shall be done during low flow and in the dry only.
 10. The retaining wall shall be constructed landward of Elevation 410 (NGVD 1929).
 11. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
 12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(h) projects that disturb more than 200 linear feet, measured along the shoreline, of a lake or pond or its bank;
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
4. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Ossipee Lake a public hearing under RSA 482-A:8 is not required.
5. This project occurs above the recognized normal highwater line of Ossipee Lake, therefore, the requirements for approval by the Governor and Executive Council pursuant to RSA 482-A:3, II, (a) do not apply..

2019-03309

LANES END INC

MELVIN VILLAGE LAKE WINNIPESAUKEE

Requested Action:

Permanently replace five 16 inch x 20 foot finger piers and one 16 inch x 18 foot finger pier within an existing commercial marina with four 20.5 inch x 24 foot finger piers and one 20.5 inch x 20 foot finger piers, remove seven tie-off pilings, drive six new tie-off pilings, and repair all remaining structures in kind on an average of 810 feet of frontage along Lake Winnepesaukee on Haley's Point in Tuftonboro.

Conservation Commission/Staff Comments:

11/12/19 per ConCom, Site visit made. Please see notes on letter.

APPROVE PERMIT

Permanently replace five 16 inch x 20 foot finger piers and one 16 inch x 18 foot finger pier within an existing commercial marina with four 20.5 inch x 24 foot finger piers and one 20.5 inch x 20 foot finger piers, remove seven tie-off pilings, drive six new tie-off pilings, and repair all remaining structures in kind on an average of 810 feet of frontage along Lake Winnepesaukee on Haley's Point in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans modified by Winnepesaukee Marine Construction dated January 9, 2020, as received by NHDES on January 10, 2020.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the NHDES Wetlands Bureau by certified mail, return receipt requested.

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3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. All construction-related debris shall be placed outside of areas subject to RSA 482-A jurisdiction.
7. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
8. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
9. This permit does not allow dredging for any purpose.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), modification of docking facilities providing 5 or more slips.
 2. The applicant has an average of 810 feet of shoreline frontage along Lake Winnepesaukee.
 3. A maximum of 33 slips may be permitted on this frontage per Rule Env-Wt 402.16, Marinas - Design Standards.
 4. The existing docking facilities provide 60 slips as defined per RSA 482-A:2, VIII.
 5. The proposed docking facilities will provide 58 slips as defined per RSA 482-A:2, VIII.
 6. The proposed modifications will improve navigation and the general safety of individuals using the marina facilities.
 7. The NHDES finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnepesaukee a public hearing under RSA 482-A:8 is not required.
- Send to Governor and Executive Council-

2019-03808

STEPHEN J FISH TRUST

WOLFEBORO LAKE WINNIPESAUKEE

Requested Action:

Dredge 14.7 cubic yards from 364 square feet of lake bed and impact 2,865 square feet of bank along 35 linear feet of shoreline to construct an 899 square foot "dug-in" boathouse with 2 boat slips on a lot with a pre-existing breakwater and cantilevered dock providing 2 slips on an average of 240 feet of frontage along Lake Winnepesaukee, on Wolfeboro Neck facing the "Broads" in Wolfeboro.

APPROVE PERMIT

Dredge 14.7 cubic yards from 364 square feet of lake bed and impact 2,865 square feet of bank along 35 linear feet of shoreline to construct an 899 square foot "dug-in" boathouse with 2 boat slips on a lot with a pre-existing breakwater and cantilevered dock providing 2 slips on an average of 240 feet of frontage along Lake Winnepesaukee, on Wolfeboro Neck facing the "Broads" in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated December 6, 2019 and received by NHDES on December 10, 2019.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the NHDES Wetlands Bureau by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater

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Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

7. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
8. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
9. The use of the boathouse shall be limited to the storage of boats and boating-related accessories.
10. The boathouse shall be a single-story structure; ridgeline not to exceed 20 feet in height (Elev. 524.32) above normal high water (Elev. 504.32).
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
14. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
15. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
16. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(d), construction a docking system adjacent or attached to a breakwater.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnepesaukee a public hearing under RSA 482-A:8 is not required.
6. The applicant has an average of 240 feet of shoreline frontage along Lake Winnepesaukee.
7. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
8. The existing and proposed docking facilities will provide a total of 4 slips as defined per RSA 482-A:2, VIII and therefore meet Rule Env-Wt 402.13.

-Send to Governor and Executive Council-

2019-03842

NH DEPT OF TRANSPORTATION

CHATHAM BRADLEY BROOK

Requested Action:

Dredge and fill 802 square feet (SF) within the bed and banks of Bradley Brook (Tier 3, impacting 215 linear feet (LF)) for rehabilitation of an existing bridge (#155/128) on NH Route 113. Temporarily impact 744 SF and 108 LF for placing concrete toewalls along both sides of the existing metal pipe arch, and placing rip-rap along the toewalls within the structure

APPROVE PERMIT

Dredge and fill 802 square feet (SF) within the bed and banks of Bradley Brook (Tier 3, impacting 215 linear feet (LF)) for rehabilitation of an existing bridge (#155/128) on NH Route 113. Temporarily impact 744 SF and 108 LF for placing concrete toewalls along both sides of the existing metal pipe arch, and placing rip-rap along the toewalls within the structure

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With Conditions:

1. All work shall be in accordance with plan sheets for Chatham 135/128 NH 113 Over Bradley Brook, State Project 42634 prepared by the Department of Transportation, Bureau of Bridge Maintenance as received by the Department on December 11, 2019.
2. Rip-rap placement and concrete toewalls shall be installed in accordance with Section A-A (Sheet 1) and rip rap shall not extend across the entire channel bed. Any rip-rap located across the stream channel bed shall be located subgrade with stream bed simulation at the channel bed surface, in order to maintain low-flow and natural bed material conditions through the culvert.
3. This permit is not valid until the applicant/owner obtains construction easements on abutting parcels or written permission from abutting property owners if work is beyond the ROW. The permittee shall submit a copy of each recorded easement to the NHDES Wetlands Bureau prior to construction.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
5. Work shall be done during low flow.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
10. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
12. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
13. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a Major Project per New Hampshire Administrative Rule Env-Wt 303.02(i), projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03. The applicant has considered alternatives including no action, bridge replacement, and bridge repair.
3. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
4. The bridge was identified as being in need of repair resulting from an inspection done in July 2018. The inspection identified scour along the base of stones within the structure. Scour was observed at the inlet and the outlet. The proposed project will restore the toe walls and placement of rip rap to protect the structure.
5. The stream crossing is classified as Tier 3 in accordance with New Hampshire Administrative Rule Env-Wt 904.04. An Alternative Design was requested in accordance with Env-Wt 904.09. The project engineer has determined that the existing structure will convey the 100-year storm event. The hydraulic modeling was adjusted to reflect the proposed work, adding concrete toe walls along the granite block abutments. Based on the revised modeling the structure will convey the 100-year storm event. The applicant has confirmed the proposed project will not significantly change the existing waterway opening and structure alignment, and therefore, it will not change the depths or velocities at the crossing. The proposed crossing has been designed in accordance with the New Hampshire Administrative Rules Env-Wt 904.01, General Design Considerations.
6. This project was reviewed at the Natural Resource Agency Coordination Meeting on July 17, 2019. In accordance with New Hampshire Administrative Rule Env-Wt 904.04(f)(1), compensatory mitigation is not required as the project, as

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proposed, is considered self-mitigating. Stabilization is proposed to protect the existing infrastructure from failure and falling into disrepair.

7. The New Hampshire Natural Heritage Bureau has reviewed the proposed project and determined there are currently no recorded occurrences for sensitive species near this project area per letter dated June 24, 2019.

8. The New Hampshire Division of Historical Resources determined No Adverse Effect for the project and requested and Individual Inventory Form be prepared to document existing material conditions and BMP guidance per Secretary of the Interiors Standards per letter dated August 16, 2019.

9. Project plans have been stamped by New Hampshire Professional Engineer.

10. No comments of concern were received by NHDES from abutters or local governing organizations.

2019-03862

LAKE HOUSES AT CHRISTMAS ISLAND LLC

LACONIA LAKE WINNIPESAUKEE

Requested Action:

Remove a 3-piling ice cluster, extend a 3 foot x 95.5 foot piling pier to a total of 110.5 feet in length, add two new 2.5 foot x 23.5 foot seasonal finger piers to the seven existing 2.5 foot x 23.5 foot seasonal finger piers, drive a new ice cluster, remove a 5 foot x 36 foot section of concrete wharf, fill 160 square feet of lakebed to make land between the shoreline and the remaining 4 foot x 36 foot concrete wharf, and repair 24 linear feet of stone and mortar retaining wall on an average of 759 feet of shoreline frontage along Paugus Bay, Lake Winnepesaukee, in Laconia.

DENY PERMIT

Remove a 3-piling ice cluster, extend a 3 foot x 95.5 foot piling pier to a total of 110.5 feet in length, add two new 2.5 foot x 23.5 foot seasonal finger piers to the seven existing 2.5 foot x 23.5 foot seasonal finger piers, drive a new ice cluster, remove a 5 foot x 36 foot section of concrete wharf, fill 160 square feet of lakebed to make land between the shoreline and the remaining 4 foot x 36 foot concrete wharf, and repair 24 linear feet of stone and mortar retaining wall on an average of 759 feet of shoreline frontage along Paugus Bay, Lake Winnepesaukee, in Laconia.

With Findings:

Standards for Approval

1. This Application was received and determined to be administratively complete on December 12, 2019 and has been reviewed for compliance with the Wetlands Program Code of Administrative Rules Chapters 100 - 900 in effect on that date.
2. This project is classified as a major project per Rules Env-Wt 303.02(d), modification of a docking facility providing 5 or more slips Env-Wt 303.02 (n), fill in public waters for the purposes of making land.
3. Pursuant to Rule Env-Wt 402.13 Frontage Over 75', there shall be a minimum of 75' of shoreline frontage on the property for the first 2-slip structure and an additional 75' of shoreline frontage on the property for each additional boating slip or securing location on a structure for non-commercial use in order to lessen congestion, improve public safety and navigation, protect neighboring property values, provide sufficient area for construction of facilities, provide adequate area for boat maneuvering, and protect health, safety, and general welfare.
4. Pursuant to Rule Env-Wt 402.21 Modification of Existing Structures, the department shall not approve any change in size, location, or configuration of an existing structure unless the applicant demonstrates, and the department finds, that the modification is less environmentally-impacting or provides for fewer boat slips and less construction surface area over public submerged lands than the current configuration.
5. Pursuant to Rule Env-Wt 204.04 Criteria, a request for a waiver shall be granted if granting the request will not result in an adverse effect to the environment or natural resources of the state, public health or safety, or an impact on abutting properties that is more significant than that which would result from complying with the rule and the Department finds that either granting the request is consistent with the intent and purpose of the rule being waived or strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.

Findings of Fact

1. On December 12, 2019 the NH Department of Environmental Services received an application for impacts associated with the expansion of docking facilities on the frontage of property identified as Lot#4, Block #248, on Laconia Tax Map #216 ("the Property").

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2. The Property has an average of 759 feet of frontage along Lake Winnepesaukee. 3. A maximum of 11 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'. 4. This structure was previously modified under Wetlands Permits #2016-00248 and #2017-03446.
5. The docking facilities as they existed prior to the modifications made under Wetlands Permit #2016-00248 provided 18 slips as defined per RSA 482-A:2, VIII and, therefore, they failed to conform to Rule Env-Wt 402.13 and were subject to Rule Env-Wt 402.21, Modification of Existing Structures.
6. The Department's review of Wetlands Permit #2016-00248 found that the modifications to the docking facilities would reduce the number of slips provided on the frontage by one and would result in less square feet of impact over public submerged lands than the pre-existing docking structures, therefore, the project met Rule Env-Wt 402.21, Modification of Existing Structures.
7. Under Wetlands Application #2017-03446 the applicant proposed to convert the seasonal finger piers approved under the previous permit to piling piers for safety and structural stability reasons.
8. On February 20, 2018, the Department found that, had the project as proposed in Wetlands Application #2016-00248, included the pilings being requested under Wetlands Application #2017-03446, the overall modifications to the docking facilities would still have reduced the number of slips provided on the frontage by one and would have resulted in less square feet of impact over public submerged lands than the pre-existing docking structures, and therefore, the project overall would have met Rule Env-Wt 402.21, Modification of Existing Structures.
9. The existing docking facilities providing 17 slips as defined per RSA 482-A:2, VIII, still fail to conform to Rule Env-Wt 402.13 and are still subject to Rule Env-Wt 402.21, Modification of Existing Structures.
10. The project as proposed will extend the docking facility an additional 15 feet into Lake Winnepesaukee, result in a 176.5 square foot increase in construction surface area over public submerged lands, and increase the number of slips on the frontage to 18.
11. The Applicant has requested a waiver of Rule Env-Wt 402.21 pursuant to Part Env-Wt 204, Waivers.
12. The Applicant maintains that the proposal will merely provide the previously approved 17 slips on the grounds that one of the slips, closest to shore and adjacent to the concrete wharf, lacks sufficient depth within a portion slip area and thus should not be considered a slip.
13. Based upon the plans submitted less than 125 square feet of dredge would be required to provide adequate depth through-out the area of the slip closest to shore.
14. Aerial imagery from July of 2019 available online shows that the slip closest to shore is currently being used to secure watercraft.
15. The Applicant maintains that the proposal decreases the construction surface area of the structures by 3.5 square feet.
16. Department finds upon review of the plans submitted with the application that the project increases the construction surface area over public submerged lands by 176.5 square feet.
17. The Applicant maintains that the proposal to remove the 5 foot x 36 foot section of concrete wharf and backfill 160 square feet of lakebed in order to make land between the shoreline and the remaining 4 foot x 36 foot concrete wharf brings the docking facilities into better conformance with RSA 482-A and the Wetlands Program Code of Administrative Rules Chapters 100 - 900.
18. The placement of fill for the purpose of making land to access a docking would fail to conform with RSA 482-A and the Wetlands Program Code of Administrative Rules Chapters 100 - 900.
19. The Applicant maintains that the proposed modification of the docking facilities to provide an additional slip would be less impacting than the construction of a separate docking structure and that constructing a separate docking structure would also be more financially difficult for the applicant.
20. The Property does not have sufficient frontage to obtain a permit for a separate docking structure providing additional slips, therefore this argument is moot.

Rulings in Support of the Decision

1. The applicant has not provided evidence that the granting of the waiver of Rule Env-Wt 402.21 will not result in an adverse effect to the environment or natural resources of the state, public health or safety, or an impact on abutting properties that is more significant than that which would result from complying with the rule. Because the requirements of Rule Env-Wt 204.04 have not been met the requested waiver of Rule Env-Wt 402.21 is not granted.
2. The applicant has not provided evidence that granting the request is consistent with the intent and purpose of the rule being waived. Because the requirements of Rule Env-Wt 204.04 have not been met the requested waiver of Rule Env-Wt 402.21 is not granted.
3. The applicant has not provided evidence strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant. Because the requirements of Rule Env-Wt 204.04 have not been met the requested waiver of Rule Env-Wt 402.21 is not granted.
4. The proposal to replace a portion of the existing docking structure with fill for the purpose of making land does not result in a less impact to the environment and natural resources of Lake Winnepesaukee.

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5. The proposal to modify an existing non-conforming structure in a manner that would increase the number of slips provided on the frontage and increases the construction surface area over public submerged lands is prohibited by Rule Env-Wt 402.21, and therefore, the application for a permit is denied.

MINOR IMPACT PROJECT

2018-03627

ANN QUANDT REVOCABLE TRUST

MOULTONBOROUGH LAKE WINNIPESAUKEE

Requested Action:

The applicant requests that the permit be amended to include two additional ice clusters.

APPROVE AMENDMENT

Amend permit to read: Construct two 5 foot x 30 foot and one 6 foot x 30 foot piling piers connected by an existing 8.2 foot x 41.6 foot concrete wharf in a "W" configuration, drive five ice cluster pilings, repair the face of a concrete bulkhead "in-kind", install 2 permanent boatlifts with 14 foot x 30 foot seasonal canopy and 2 seasonal personal watercraft lifts located along the shore on an average of 376 feet of frontage along Lake Winnepesaukee in Moultonborough.

With Conditions:

1. All work shall be in accordance with revised plans by Watermark Marine Construction dated October 10, 2019 and as received by the NH Department of Environmental Services (NHDES) on October 15, 2019.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
7. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
8. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
9. Pilings shall be spaced a minimum of 12 feet apart as measured piling center to piling center.
10. No portion of the piers shall extend more than 44.5 feet from the shoreline at full lake elevation (Elevation 504.32).
11. All seasonal structures, including watercraft lifts shall be removed for the non-boating season.
12. The canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopy shall be removed for the non-boating season.
13. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
14. This permit shall not preclude NHDES from initiating appropriate action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
15. The repairs shall maintain the size, location, and configuration of the pre-existing structures.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of any docking system that provides for 4 slips.

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2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. The applicant has an average of 376 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 6 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
6. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
7. The existing 8.2 foot x 41.6 foot concrete wharf fails to conform to the 6 foot maximum width of structure allowed pursuant to Rule Env-Wt 402.03, Dimensions, and the standards for construction of a permanent dock as established in Rule Env-Wt 402.06, Permanent Docks, and therefore, is subject to Rule Env-Wt 402.21, Modification of Existing Structures.
8. The applicant has requested a waiver of Rule Env-Wt 402.21 to retain and modify the existing 8.2 foot x 41.6 foot concrete wharf walkway as provided underpart Rule Env-Wt 204, Waivers.
9. The applicant has demonstrated that granting the waiver will have no adverse effect on the environment, natural resources of the state, public health, public safety, nor impacts to abutting properties more significant than that which would result from complying with the rule as required to meet Rule Env-Wt 204.05, Criteria, (a)(1).
10. The applicant has demonstrated that strict compliance with Rule Env-Wt 402.21 will provide no benefit to the public and will provide both an operational and economic impact to the applicant as required to meet Rule Env-Wt 204.05, Criteria, (a)(2).
11. The request for a waiver meet the requirements of Rule Env-Wt 204.05, Criteria, and therefore, the waiver Rule Env-Wt 402.21 is granted.

2019-00464

HOULE, JASON
VARNEY, KATE

ALTON Unnamed Wetland

Requested Action:

Retain 1,942 square feet (SF) of impacts within palustrine forested wetland for the installation of a driveway for a single family residence and to construct a grass lined swale. In addition, restore 4,988 SF of previously impacted palustrine forested wetland by removing unauthorized fill that was placed to construct a portion of the original driveway and cabin.

Conservation Commission/Staff Comments:

02/07/19 per ConCom "Requests the Wetlands Bureau SUSPEND ACTION on this project for FORTY DAYS (or until receiving a written report from this Commission) to enable us to investigate the property.

02/19/19 per DHR, Project disturbance precludes DHR's ability to comment on whether or not significant archaeological/historic resources would be impaired.

02/28/19 ConCom reviewed this Standard Dredge & Fill and questions why the 4,502 SF is being retained and not restored. Is this a buildalbe lot.

APPROVE AFTER THE FACT

Retain 1,942 square feet (SF) of impacts within palustrine forested wetland for the installation of a driveway for a single family residence and to construct a grass lined swale. In addition, restore 4,988 SF of previously impacted palustrine forested wetland by removing unauthorized fill that was placed to construct a portion of the original driveway and cabin.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC. dated January 04, 2018, and revised through January 07, 2020, as received by NHDES on January 13, 2020.
2. This permit is contingent upon restoring approximately 4,988 square feet of wetlands that were impacted without a permit from the department. Restoration activities shall be completed by June 01, 2021, and a follow up report with photographs showing the restored wetlands shall be submitted to NHDES by June 30, 2021.
3. Wetland restoration shall be in accordance with the restoration plan by Thomas W. Varney, CWS, of Varney Engineering, LLC, dated January 4, 2018, revised through January 07, 2020, and received by NHDES on January 13, 2020. Any revisions to the restoration plans shall be reviewed by Thomas W. Varney and submitted to the NHDES Wetlands Bureau for approval

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prior to initiation of the work.

4. If additional tree clearing or construction activities will be occurring in undisturbed areas on the property, then a survey for small whorled pogonia (*Isotria medeoloides*) and coordination with the Natural Heritage Bureau will be required. This survey shall be performed during the annual growing season (June 15 - August 15) to locate any sensitive species and inform any restoration/mitigation actions at this site. Findings of this survey shall be reported to the NH Natural Heritage Bureau (NHB) and the NHDES Wetlands Bureau upon completion and no later than August 30.

5. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.

6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.

7. Work shall be done during non-flow or dry conditions.

8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.

9. Erosion control products shall be installed per manufacturers recommended specifications.

10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

11. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A.

12. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

13. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.

14. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

15. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.

16. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.

17. Mulch used within the wetland restoration areas shall be natural straw or equivalent non-toxic, non-seed-bearing organic material.

18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

19. The permittee/permittee's contractor shall properly construct, landscape, and monitor the restoration areas per the approved restoration plan, and shall take such remedial actions as may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.

20. The permittee/permittee's contractor shall regrade restoration areas to pre-construction conditions and plant native species similar to those within the wetland prior to impact. The permittee shall implement corrective measure promptly if needed to ensure the plantings survive.

21. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications.

22. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).

23. Restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the NHDES Wetlands Bureau.

24. A post-construction report, prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the project area and restored jurisdictional area or buffer, including photographs, shall be submitted to the NHDES Wetlands Bureau. Similar inspections, reports and remedial actions shall be undertaken in at least the first two full growing seasons following the completion of each restoration site per the restoration plan.

With Findings:

1. This project is classified as a Minor Project per NH Administrative Rule Env-Wt 303.03(h) as the project involves the alteration of less than 20,000 square feet (SF) of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in the aggregate.

2. The unauthorized impacts that occurred on this lot took place between 2007-2017 and were the result of a previous property owner's actions.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03 as the temporarily impacted wetland areas will be fully restored to preconstruction conditions, the requested impact areas to be permanently retained have been reduced

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to only those required to access the property, and the alternative of relocating the existing access into the adjacent upland would result in greater site disturbance and would negatively impact sensitive species identified in the vicinity of the project.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. NHDES Staff conducted a field inspection of the proposed project on September 10, 2019. Field inspection determined that wetlands were delineated appropriately and that the originally submitted plans would be revised to include more restoration.

6. Pursuant to NH Administrative Rule Env-Wt 301.01(g), a NH State certified wetland scientist has stamped the Existing Conditions Plan dated January 04, 2018.

7. In a letter dated September 27, 2019, and received by NHDES on February 19, 2019, the New Hampshire Department of Historical Resources (DHR) stated that the project disturbance precludes the DHR's ability to comment on whether or not significant archaeological or historic resources would be impaired.

8. In a review letter dated January 11, 2019, and received by NHDES on February 06, 2019, the NH Natural Heritage Bureau (NHB) identified that records of small whorled pogonia (*Isotria medeoloides*) were recorded in the vicinity of the project.

9. In email correspondence dated January 10, 2020, the NHB requested that a site survey for small whorled pogonia (*Isotria medeoloides*) be performed during the growing season (June 15 - August 15) prior to any new tree clearing and associated ground disturbance for lot development and that a copy of the survey results, including a write-up and photos of the surveyed area, be submitted to the NHB once complete.

10. NHB recommendations were included as conditions in the permit at the request of NHB staff to ensure existing small whorled pogonia populations are protected to the greatest extent practicable.

11. In a letter dated February 28, 2019, the Alton Conservation Commission expressed their concerns regarding the amount of requested fill to be retained and questioned whether this property was a buildable lot.

12. NHDES finds that by revising the plans to reduce the square footage of retained impacts and increasing the square footage of the proposed restoration area, as well as the pending Subsurface Systems approval (Work Order #201901792), the applicant has fully addressed the concerns of the Alton Conservation Commission.

13. As of January 30, 2020, no comments of concern have been received by NHDES from abutters.

2019-00834

GRAFTON, TOWN OF

GRAFTON

Requested Action:

Dredge and fill 2,216 square feet (impacting 87 linear feet) within the bed and banks of Wild Meadow Brook, a tier 3 perennial stream, to remove sediment accumulation from the October 2017 storm event. Temporarily impact 1,588 square feet (impacting 22 linear feet) within the bed and bank for construction access, dewatering and erosion and siltation controls.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP

Dredge and fill 2,216 square feet (impacting 87 linear feet) within the bed and banks of Wild Meadow Brook, a tier 3 perennial stream, to remove sediment accumulation from the October 2017 storm event. Temporarily impact 1,588 square feet (impacting 22 linear feet) within the bed and bank for construction access, dewatering and erosion and siltation controls.

With Findings:

1. A request for additional information dated May 8, 2019 addressed to the applicant or agent of record, clearly identified the requirement that the applicant submit additional information to NHDES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (2), if the requested additional information is not received by NHDES within 60 days of the request, or by the deadline date specified in agreed-to time extensions, NHDES shall deny the application.
3. A time extension agreement dated July 1, 2019 extended the deadline until January 7, 2020.
4. NHDES did not receive the requested additional information within the 60 days or by the deadline specified in the extension thereof, and therefore the application has been denied.

2019-02249

AMES, ADAM

GREENVILLE

01/27/2020 to 02/02/2020

Requested Action:

Dredge and fill 980 square feet within palustrine forested wetland and an unnamed intermittent stream (tier 1, impacting 50 linear feet) for grading associated with the construction of a 55-unit open space residential development and installation of an 18-inch diameter by 50-foot long culvert for access within the residential development. In addition, temporarily impact 305 square feet (impacting 65 linear feet) within the unnamed intermittent stream for access, installation, and erosion, sediment, and turbidity controls.

APPROVE PERMIT

Dredge and fill 980 square feet within palustrine forested wetland and an unnamed intermittent stream (tier 1, impacting 50 linear feet) for grading associated with the construction of a 55-unit open space residential development and installation of an 18-inch diameter by 50-foot long culvert for access within the residential development. In addition, temporarily impact 305 square feet (impacting 65 linear feet) within the unnamed intermittent stream for access, installation, and erosion, sediment, and turbidity controls.

With Conditions:

1. All work shall be in accordance with plans by Fieldstone Land Consultants, PLLC. dated April 11, 2019, and revised through December 5, 2019, as received by the NH Department of Environmental Services (NHDES) between July 10, 2019 and January 7, 2020.
2. This permit is not valid unless an Alteration of Terrain permit or other method of compliance with RSA 485-A:17 and Env-Wq 1500 is achieved.
3. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
4. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
5. Prior to starting any work authorized by this permit, the permittee shall place orange construction fencing at the limits of construction to prevent unintentional encroachment on wetlands.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
10. Erosion control products shall be installed per manufacturers recommended specifications.
11. Prior to commencing work on a substructure located within surface waters, the permittee or permittee's contractors shall construct a cofferdam to isolate the substructure work area from the surface waters.
12. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow or in the dry only. The permittee shall monitor local weather forecasts to avoid working during or following precipitation events.
13. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
15. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
16. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
17. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
19. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
20. Any fill used shall be clean sand, gravel, rock, or other suitable material.

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21. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
22. Proper headwalls shall be constructed within seven days of culvert installation.

With Findings:

1. This is a Minor Project per Administrative Rule Env-Wt 303.03(l), as this project disturbs less than 200 linear feet of an intermittent stream and does not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposed residential development is surrounded by jurisdictional areas immediately to the north and west, a property line to the south, and existing development immediately to the east, with wetland fingers extending into the proposed project area. The site selected, and the proposed development configuration, avoids the surrounding jurisdictional areas and avoids impacts to narrow wetland strips that fall within the proposed development area. Site grading has been reduced to minimize wetland impacts, and intermittent stream impacts have been reduced by the selection of a narrow crossing site. All site drainage is to be treated and infiltrated onsite to compensate for any groundwater recharge loss due to wetland impacts.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. On September 9, 2019 a Request for More Information (RFMI) Letter was issued, and on December 4, 2019 a Time Extension Agreement was issued to allow the applicant additional time to provide a full and complete response to the RFMI letter.
5. The Greenville Conservation Commission has not provided comments to NHDES regarding this Wetland Application.
6. The New Hampshire Natural Heritage Bureau (NHB) has reviewed the proposed project (NHB19-1098) and determined that there are no recorded occurrences of sensitive species near the project area, per the letter dated April 9, 2019.
7. NHDES received no comments from abutters.
8. The drainage analysis provided by Fieldstone Land Consultants, PLLC on January 7, 2020 confirmed that the proposed tier 1 stream crossing is sized so as to accommodate the flows of a 50-year storm event, and meets the tier 1 stream crossing requirements in Env-Wt 904.02.

2019-02892

MORGAN, JAMES/KAREN

NEWBURY SUNAPEE LAKE

Requested Action:

Replace a 12 foot x 10 foot crib with a new 10 foot x 10 foot crib to support an existing 16 foot x 24 foot boathouse over public waters on an average of 76 feet of frontage along Lake Sunapee, in Newbury.

APPROVE PERMIT

Replace a 12 foot x 10 foot crib with a new 10 foot x 10 foot crib to support an existing 16 foot x 24 foot boathouse over public waters on an average of 76 feet of frontage along Lake Sunapee, in Newbury.

With Conditions:

1. All work shall be in accordance with plans submitted by Dick Butterfield as received by NHDES on January 6, 2020.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.

01/27/2020 to 02/02/2020

7. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
8. With the exception of the reduced crib size, the repairs shall maintain the size, location, and configuration of the pre-existing structures.
9. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
10. All construction-related debris shall be placed outside of areas subject to RSA 482-A jurisdiction.
11. This permit does not allow dredging for any purpose.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), modification in a permanent docking structure providing fewer than 5 slips.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2019-03269

HOFFMAN, BEN/LEXI

TUFTONBORO LAKE WINNIPESAUKEE

Requested Action:

Construct a 6 foot x 50 foot wharf accessed by a 4 foot x 45 foot walkway and drive three ice clusters on an average of 179 feet of frontage along Lake Winnepesaukee in Melvin Bay in Tuftonboro.

Conservation Commission/Staff Comments:

10/25/2019 Conservation Commission has no objections to the issuance of this permit.

APPROVE PERMIT

Construct a 6 foot x 50 foot wharf accessed by a 4 foot x 45 foot walkway and drive three ice clusters on an average of 179 feet of frontage along Lake Winnepesaukee in Melvin Bay in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Advantage NH Lakes dated September 11, 2019, as received by DES on October 16, 2019.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. No construction activity may occur on this frontage between May 15th and July 15th to avoid impact to Common Loon within proximity to the property.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
8. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
9. Pilings shall be spaced a minimum of 12 feet apart as measured piling center to piling center.
10. No portion of the pier and wharf shall extend more than 48 feet from the shoreline at full lake elevation (Elev. 504.32).

01/27/2020 to 02/02/2020

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a permanent docking structure providing 2 slips.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. The applicant has an average of 179 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 2X slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
6. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2019-03299

ORMISTON, LEE/KATE

BRADFORD TODD LAKE

Requested Action:

Temporarily impact 70 square feet of bank in order to replace 70 linear feet of failed retaining wall, in kind, along 140 linear feet of shoreline frontage on Todd Lake in Bradford.

APPROVE PERMIT

Temporarily impact 70 square feet of bank in order to replace 70 linear feet of failed retaining wall, in kind, along 140 linear feet of shoreline frontage on Todd Lake in Bradford.

With Conditions:

1. All work shall be in accordance with revised plans by Greenline property Services, LLC revision dated December 12, 2019 and received by the NH Department of Environmental Services (NHDES) on December 20, 2019.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
4. Replacement of existing retaining wall shall result in no change in height, length, location, or configuration.
5. The proposed retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
10. This permit shall not preclude NHDES from initiating appropriate action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.
11. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
13. The repairs shall maintain the size, location, and configuration of the pre-existing structures.

01/27/2020 to 02/02/2020

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j), repair or replacement of existing retaining walls that requires work in the water.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2019-03486

ALBEE, PAUL

ENFIELD MASCOMA LAKE

Requested Action:

Permanently remove all existing decks, walkways, and floats from the frontage and install a 4 foot x 16 foot seasonal pier extending from a 6 foot x 24 foot seasonal wharf on an average of 64 feet of frontage along Mascoma Lake in Enfield.

APPROVE PERMIT

Permanently remove all existing decks, walkways, and floats from the frontage and install a 4 foot x 16 foot seasonal pier extending from a 6 foot x 24 foot seasonal wharf on an average of 64 feet of frontage along Mascoma Lake in Enfield.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering dated October 2019, and revised January 10, 2020, as received by NHDES on January 13, 2020.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the NHDES Wetlands Program by certified mail, return receipt requested.
3. No portion of the new wharf and pier shall be installed on the frontage until all portions of the existing decks, walkways and floats have been removed from the frontage.
4. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
5. This permit does not authorize the removal of trees, saplings, shrubs, or groundcovers from within the waterfront buffer.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
9. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water except as authorized by the owner of the property identified as lot #47 on Enfield tax map 18 in the signed waiver of the setback notarized on January 3, 2020.
10. No portion of the pier shall extend more than 24 feet from the shoreline at full lake level (Elev. 751).
11. All seasonal structures shall be removed for the non-boating season.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a seasonal pier providing 2 slips or fewer.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
4. The applicant has an average of 64 feet of shoreline frontage along Mascoma Lake.
5. The applicant has requested a waiver of Rule Env-Wt 402.14, Frontage less than 75' pursuant to Part Env-Wt 204,

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Waivers.

6. The Department finds that Rule Env-Wt 204. 04 Criteria, has been met and the requested waiver of Rule Env-Wt 402.14 is granted.

2019-03679

NH DEPT OF HEALTH AND HUMAN SERVICES

BENTON

Requested Action:

Impact a total of 355 square feet within the bed and banks along 129 linear feet of an unnamed intermittent stream to include 351 square feet of permanent impact and 4 square feet of temporary impact for stabilization of roadside drainage as part of the widening and paving of the emergency access road for improved emergency vehicle access.

APPROVE PERMIT

Impact a total of 355 square feet within the bed and banks along 129 linear feet of an unnamed intermittent stream to include 351 square feet of permanent impact and 4 square feet of temporary impact for stabilization of roadside drainage as part of the widening and paving of the emergency access road for improved emergency vehicle access.

With Conditions:

1. All work shall be in accordance with plans by HEB Engineers, Inc. dated August 9, 2019 as received by the NH Department of Environmental Services (NHDES) on November 25, 2019
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
4. Work shall be done during seasonal low flow and in the dry only.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. Dredged materials, whether to be stockpiled or disposed of, shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside of areas subject to RSA 482-A jurisdiction.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
10. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
5. No comments were submitted on the application speaking for or against the application.

01/27/2020 to 02/02/2020

2019-03835

SOLHEID, LEANDER/SHERLYN

MEREDITH LAKE WINNIPESAUKEE

Requested Action:

Temporarily impact 490 square feet of bank in order to replace 32 linear feet of retaining wall, in kind, install 2 additional water access stairs, and covert 198 square feet of patio to pervious materials on an average of 157 linear feet of shoreline frontage along Lake Winnepesaukee in Meredith.

APPROVE PERMIT

Temporarily impact 490 square feet of bank in order to replace 32 linear feet of retaining wall, in kind, install 2 additional water access stairs, and covert 198 square feet of patio to pervious materials on an average of 157 linear feet of shoreline frontage along Lake Winnepesaukee in Meredith.

With Conditions:

1. All work shall be in accordance with plans by Stephens Landscaping Professionals, LLC., dated November 7, 2019 and received by NH Department of Environmental Services (NHDES) on December 11, 2019.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
4. Replacement of existing retaining wall shall result in no change in height, length, location, or configuration.
5. The proposed retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
10. This permit shall not preclude NHDES from initiating appropriate action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.
12. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
14. The repairs shall maintain the size, location, and configuration of the pre-existing structures.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j), replacement of exiting retaining wall that requires work in the water.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
4. This application was filed and deemed complete prior to December 15, 2019, and therefore, was reviewed for compliance with Administrative Rules Chapters Env-Wt 100 - 900 in effect on the date of filing.

2019-03857

TOWN OF SUNAPEE

SUNAPEE SUNAPEE LAKE

Requested Action:

Remove an existing public concrete boat launch ramp pads in the water and replace with new concrete pads, fill in propwash hole on lake bottom and extend concrete pads over hole, and drive sheet piles around work area for dewatering on 100 feet of frontage along Lake Sunapee in Sunapee.

APPROVE PERMIT

Remove an existing public concrete boat launch ramp pads in the water and replace with new concrete pads, fill in propwash hole on lake bottom and extend concrete pads over hole, and drive sheet piles around work area for dewatering on 100 feet of frontage along Lake Sunapee in Sunapee.

With Conditions:

1. All work shall be in accordance with plans by the Town of Sunapee dated November 8, 2019, as received by NH Department of Environmental Services on December 12, 2019.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
9. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), project involves less than 20,000 square feet of alteration in the aggregate in nontidal surface waters.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2019-03922

NOMINEE REALTY TRUST

TUFTONBORO MIRROR LAKE

Requested Action:

Construct a 400 square foot perched beach with 4 foot access steps and rock walls, reset and tighten 15 linear feet of fallen rock on 87 feet of frontage along Mirror Lake in Tuftonboro.

Conservation Commission/Staff Comments:
01/07/2020 per ConCom, "Site visit made".

APPROVE PERMIT

Construct a 400 square foot perched beach with 4 foot access steps and rock walls, reset and tighten 15 linear feet of fallen rock on 87 feet of frontage along Mirror Lake in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated December 10, 2019 as received by the NH Department of Environmental Services (DES) on December 13, 2019.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would violate the required score of vegetation.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. The steps installed for access to the water shall be located completely landward of the reference line.
10. No more than 10 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), a project involving less than 20,000 square feet of alteration in the aggregate in nontidal surface waters.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2019-03927

STAUBLE, DEBRA/WILLIAM

NEW DURHAM MERRYMEETING LAKE

Requested Action:

Install a 30 foot x 4 foot seasonal dock attached to an anchoring pad on 22.1 feet of frontage along Merrymeeting Lake in New Durham.

01/27/2020 to 02/02/2020

APPROVE PERMIT

Install a 30 foot x 4 foot seasonal dock attached to an anchoring pad on 22.1 feet of frontage along Merrymeeting Lake in New Durham.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated December 5, 2019 as received by DES on December 13, 2019.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
7. No portion of the new seasonal pier shall extend more than 30 feet from the shoreline at full lake elevation (Elev. 648.5).
8. All seasonal structures shall be removed for the non-boating season.
9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d) construction of a docking structure.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant requested a waiver to 402.12, Frontage less than 75 feet, to extend the required 24 foot seasonal dock to 30 feet.
4. The Department granted the waiver based on insufficient water depths.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2019-03928

FORD/BOLOGNIA BARNSTEAD TRUST

BARNSTEAD

Requested Action:

Construct a 328 square foot perched beach with access steps and replace 26 linear feet of deteriorated retaining wall with a new wall on 117 feet of frontage along Locke Lake in Barnstead.

APPROVE PERMIT

Construct a 328 square foot perched beach with access steps and replace 26 linear feet of deteriorated retaining wall with a new wall on 117 feet of frontage along Locke Lake in Barnstead.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated December 2, 2019 as received by the NH Department of Environmental Services (DES) on December 13, 2019.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would violate the required

01/27/2020 to 02/02/2020

score of vegetation.

4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. No more than 10 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
10. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
11. The replacement of the wall shall maintain the size, location, and configuration of the pre-existing structure.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j) repair or replacement of a retaining wall within the water.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2019-03929

MCLEAN, GEORGE

DUBLIN DUBLIN LAKE

Requested Action:

Relocate 11 rocks from the lakebed in proximity of an existing seasonal pier on 303 feet of frontage along Dublin Lake in Dublin.

APPROVE PERMIT

Relocate 11 rocks from the lakebed in proximity of an existing seasonal pier on 303 feet of frontage along Dublin Lake in Dublin.

With Conditions:

1. All work shall be in accordance with plans by Aspen Environmental Consultants LLC., dated December 11, 2019 as received by the NH Department of Environmental Services (DES) on December 13, 2019.
2. The 11 rocks dredged from a lakebed should be deposited in a "near shore zone" location, in areas along the applicant's frontage that are consistent with the water depth and bottom substrate from where the rocks were removed. The deposition site(s) may not be within the 20-foot setback to property lines.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. All dredged material shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250

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feet of any surface water shall comply with RSA-483-B.

8. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.

9. This permit shall not preclude NHDES from initiating appropriate action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g) for the removal of no more than 20 cubic yards of rock materials from public waters.

2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction per Env-Wt 302.03.

3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

4. This application was filed and deemed complete prior to December 15, 2019, and therefore, was reviewed for compliance with Administrative Rules Chapters Env-Wt 100 - 900 in effect on the date of filing.

2019-03933

KACHELE, HARALD/MAUREEN

MEREDITH LAKE WINNIPESAUKEE

Requested Action:

Replace the U shaped docking structure with a permanent W shaped piling supported dock consisting of a 6 foot x 52 foot main dock finger and two 6 foot x 30 foot dock fingers with a connecting 6 foot x 36 foot piling supported walkway, install two fender pilings, three three-pile ice clusters, two seasonal personal water craft lifts and two seasonal boatlifts.

APPROVE PERMIT

Replace the U shaped docking structure with a permanent W shaped piling supported dock consisting of a 6 foot x 52 foot main dock finger and two 6 foot x 30 foot dock fingers with a connecting 6 foot x 36 foot piling supported walkway, install two fender pilings, three three-pile ice clusters, two seasonal personal water craft lifts and two seasonal boatlifts.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated November 20, 2019, as received by DES on December 13, 2019.

2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.

3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.

4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.

5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.

6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.

7. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.

8. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.

9. All seasonal structures shall be removed for the non-boating season.

10. Only those structures shown on the approved plans shall be installed or constructed along this frontage.

11. The permittee may make repairs to the permitted structures as necessary, prior to the permit expiration date, provided that prior to performing any repair the permittee notifies the DES Wetlands Program and the Conservation Commission, in writing, of the proposed start and completion dates.

12. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures

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depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d) construction or modification of any docking structure that provides for 4 boat slips.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2019-03947

**JEFFREY H CROFT REVOCABLE TRUST
ZEEMEL CROFT REVOCABLE TRUST**

STRAFFORD BOW LAKE

Requested Action:

Construct a 328 square foot perched beach with access steps and seasonal wood steps to the water on 115 feet of frontage along Bow Lake in Strafford.

APPROVE PERMIT

Construct a 328 square foot perched beach with access steps and seasonal wood steps to the water on 115 feet of frontage along Bow Lake in Strafford.

With Conditions:

1. All work shall be in accordance with revised plans by Varney Engineering, LLC, dated December 2, 2019 as received by the NH Department of Environmental Services (NHDES) on December 16, 2019.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. No more than 10 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(f) construction of a beach.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

MINIMUM IMPACT PROJECT

2019-03125

COMROCK LLC

WINDHAM

Requested Action:

Dredge and fill 2,568 square feet of palustrine scrub-shrub wetland to construct a commercial/retail building with associated parking and driveways. Temporarily impact 157 square feet of palustrine scrub-shrub wetland for erosion control installation.

APPROVE PERMIT

Dredge and fill 2,568 square feet of palustrine scrub-shrub wetland to construct a commercial/retail building with associated parking and driveways. Temporarily impact 157 square feet of palustrine scrub-shrub wetland for erosion control installation.

With Conditions:

1. All work shall be in accordance with revised plans by Edward N. Hebert Associates, Inc. dated September 2019, as received by the NH Department of Environmental Services (NHDES) on January 07, 2020.
2. This permit is not valid unless a septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
3. The applicant shall coordinate directly with the NH Division of Historical Resources regarding potential impacts to archaeological sensitive areas.
4. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
5. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Erosion control products shall be installed per manufacturers recommended specifications.
11. Work shall be done during low flow or dry conditions.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
13. Mulch used within the wetland restoration areas shall be natural straw or equivalent non-toxic, non-seed-bearing organic material.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
15. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
16. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
18. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
19. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address

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invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).

20. The permittee/permittee's contractor shall regrade temporary impacts to pre-construction conditions and plant native species similar to those within the wetland prior to impact. The permittee shall implement corrective measure promptly if needed to ensure the plantings survive.

21. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications.

22. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(f), as wetland impacts are less than 3,000 square feet.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
4. In a memo dated June 24, 2019, the NH Natural Heritage Bureau reviewed the proposed project and found that the state threatened Spotted turtle and the state endangered Blanding's turtle occur near the project area.
5. In an email dated August 28, 2018, the NH Fish and Game Department stated that they are satisfied that efforts have been taken, such as with the sue of the mulch berm, to reduce potential impacts to wildlife.
6. In a letter dated September 24, 2019, the NH Division of Historic Resources (NHDHR) stated that the project area is considered archaeologically sensitive and that survey will be necessary before informed comment can be made.
7. NHDES conditioned the permit to coordinate directly with NHDHR regarding potential impacts to sensitive areas.

2019-03772

GONZALEZ, ALEXANDER

WINDHAM

Requested Action:

Temporarily impact 80 square feet of palustrine scrub-shrub wetland in order to replace an existing catch basin.

APPROVE PERMIT

Temporarily impact 80 square feet of palustrine scrub-shrub wetland in order to replace an existing catch basin.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Associates, Inc. dated September 2019, as received by the NH Department of Environmental Services (NHDES) electronically on January 28, 2020.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
4. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
5. Work shall be done during low flow or in dry conditions.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Erosion control products shall be installed per manufacturers recommended specifications.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

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11. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
12. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
14. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
15. Any fill used shall be clean sand, gravel, rock, or other suitable material.
16. Area of temporary impact shall be regraded to original contours following completion of work.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
18. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This project is classified as a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(f) as this project involves less than 3,000 square feet of impact to a palustrine swamp.
2. This project involves the replacement of an existing catch basin and associated length of culvert responsible for conveying water into Cobbetts Pond.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03 as the wetland impacts are temporary impacts related to the replacement of existing infrastructure and will be restored to preconstruction conditions following project completion.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. In an authorization letter dated October 23, 2019, signed and dated by both parties, and received by NHDES on December 09, 2019, the affected property owner granted the applicant consent to perform the work authorized under this permit on their property at Windham Tax Map #17-L Lot #53A.
6. In a signed letter received by NHDES on December 09, 2019, the abutting property owner granted the applicant consent to perform the work authorized under this permit within 20 feet of their property at Windham Tax Map #17-L Lot #54.
7. In a review letter dated October 25, 2019, and received by NHDES on December 09, 2019, the Natural Heritage Bureau (NHB) stated that although there was a record in the vicinity of the project, they do not expect that it will be impacted by the proposed project.
8. In a letter dated December 09, 2019, and received by NHDES on December 13, 2019, the New Hampshire Department of Historical Resources (DHR) stated that no historic properties will be affected by the proposed project.
9. As of January 28, 2020, no comments of concern have been received by NHDES from abutters or local governing organizations.
10. Impacts within the protected Shoreland of Cobbetts Pond related to this project were approved under Shoreland Permit #2019-02931.

2019-03866

OSTERMAN PROPANE LLC

DOVER Unnamed Wetland

Requested Action:

Dredge and fill a total of 1,730 square feet, including 1,220 square feet permanent and 510 square feet temporary, of palustrine scrub shrub wetland to construct a community trail.

APPROVE PERMIT

Dredge and fill a total of 1,730 square feet, including 1,220 square feet permanent and 510 square feet temporary, of palustrine scrub shrub wetland to construct a community trail.

With Conditions:

1. All work shall be in accordance with plans by Fuss & O'Neil dated April 1, 2019 as received by the NH Department of Environmental Services (NHDES) on December 12, 2019.
2. A NH Certified Wetland Scientist (CWS) shall supervise restoration activities associated with removal of the existing walkway and wetland restoration in accordance with approved plans.
3. The CWS shall inspect the restoration area, and submit a monitoring report with photographs to NHDES within 60 days after restoration completion. The monitoring report shall include, but not be limited to, documentation of erosion control deployment, construction sequencing, restoration activities and status of restoration at time of monitoring report. Photographs should depict all stages of restoration sequencing.
4. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
5. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
9. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
10. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per New Hampshire Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet in swamps and wet meadows.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
4. The City of Dover has obtained a Trail and Drainage Easement from the property owner, Osterman Propane, LLC, to construct the trail. The Trail and Drainage Easement is recorded at the Strafford County Registry of Deeds as Book 4692/Page 722.
5. The project area is located within the jurisdiction of RSA 483-B, the Shoreland Water Quality Protection Act. however, this location has an urban exemption and not subject to the requirements of RSA 483-B.
6. The NH Natural Heritage Bureau (NHB) has record of sensitive species present within the vicinity of the project area (NHB 19-3767), but NHB does not expect impacts to the species.
7. The Dover Conservation Commission did not provide comments to NHDES on the application.

2019-03889

KRAWCZYK, PETER

TUFTONBORO LAKE WINNIPESAUKEE

Requested Action:

Temporarily impact 20 square feet of bank in order to reset 10 linear feet of rock displaced along an existing perched beach and repair existing water access steps, in kind, on 100 linear feet of frontage along Lake Winnepesaukee in Tuftonboro.

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APPROVE PERMIT

Temporarily impact 20 square feet of bank in order to reset 10 linear feet of rock displaced along an existing perched beach and repair existing water access steps, in kind, on 100 linear feet of frontage along Lake Winnepesaukee in Tufonboro.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated November 26, 2019 and received by NH Department of Environmental Services (NHDES) on December 13, 2019.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
4. Repair of the existing perched beach wall shall be performed "in the dry" during drawdown of waters, and shall result in no change in height, length, location, or configuration.
5. All proposed repair work shall be landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
6. Repair of the existing perched beach wall shall utilize existing displaced rock. This permit does not authorize the use of new materials to repair the existing beach wall.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
11. This permit shall not preclude NHDES from initiating appropriate action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.
12. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

X-LAKES-SEASONAL DOCK NOTIFICATION

2018-02105

DONOVAN, WALTER

PIERMONT ARMINGTON LAKE

Requested Action:

Install a seasonal pier not to exceed 4 feet x 24 feet along Lake Armington in Piermont.

COMPLETE NOTIFICATION

Install a seasonal pier not to exceed 4 feet x 24 feet along Lake Armington in Piermont.

2018-02380

SABATINO, DORA

MOULTONBOROUGH LAKE WINNIPESAUKEE

Requested Action:

Disqualification of the seasonal dock notification on frontage along Winnepesaukee in Moultonborough.

DISQUALIFY TRAIL/FORESTRY/DOCK NOTIFICTN

Disqualification of the seasonal dock notification on frontage along Winnepesaukee in Moultonborough.

2018-02381

SABATINO, DORA

MOULTONBOROUGH LAKE WINNIPESAUKEE

Requested Action:

Disqualification of the seasonal dock notification on frontage along Winnepesaukee in Moultonborough.

DISQUALIFY TRAIL/FORESTRY/DOCK NOTIFICTN

Disqualification of the seasonal dock notification on frontage along Winnepesaukee in Moultonborough.

X-UTILITY NOTIFICATION

2015-01635

EVERSOURCE ENERGY

WASHINGTON ISLAND POND

Conservation Commission/Staff Comments:

See file 2015-00053 for fee amount.

SHORELAND STANDARD

2019-02172

ROWINSKI, PAMELA/ROBERT

ALTON LAKE WINNIPESAUKEE

Requested Action:

Impact 3,290 square feet of protected shoreland in order to construct a 24 foot x 36 foot garage with a 1 foot roof overhang and construct a 710 square foot permeable paver driveway to access the garage. The proposal also includes the incorporation of two (2) 2-foot long roof line drip infiltration trenches, 18-inches deep and total of 3,290 square feet temporary disturbance impacts.

A surveyed plan by Pennyroyal Hill Land Surveying & Forestry LLC dated January 17, 2020 and received by the NH Department of Environmental Services (DES) on January 28, 2020 for a Boundary Line Agreement between Tax Map 59/Lot #9 and Tax Map 59/Lot #10.

APPROVE AMENDMENT

Impact 3,290 square feet of protected shoreland in order to construct a 24 foot x 36 foot garage with a 1 foot roof overhang and construct a 710 square foot permeable paver driveway to access the garage. The proposal also includes the incorporation of two (2) 2-foot long roof line drip infiltration trenches, 18-inches deep and total of 3,290 square feet temporary disturbance impacts.

A surveyed plan by Pennyroyal Hill Land Surveying & Forestry LLC dated January 17, 2020 and received by the NH Department of Environmental Services (DES) on January 28, 2020 for a Boundary Line Agreement between Tax Map 59/Lot #9 and Tax Map 59/Lot #10.

With Conditions:

1. All work shall be in accordance with plans by Bryan L. Bailey Associates, Inc. dated June 10, 2019 and received by the NH Department of Environmental Services (DES) on July 16, 2019.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 19.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Native vegetation within an area of at least 6,385 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2019-02292

OLOFSON, TROY

BARRINGTON SWAINS LAKE

Requested Action:

Impact 252 square feet of protected shoreland in order to construct a shed to be placed on the existing driveway area.

APPROVE PERMIT

Impact 252 square feet of protected shoreland in order to construct a shed to be placed on the existing driveway area.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying & Engineering dated September 16, 2019 as received by the NH Department of Environmental Services (NHDES) on December 13, 2020.
2. Any further alteration of areas on this property that are subject to RSA 483-B jurisdiction will require a new application and further permitting.
3. No more than 16.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 1,754 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Orange construction fencing shall be installed at the limits of impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

2020-00031

FERNHILL CORP

ALTON HALFMOON LAKE

Requested Action:

Impact 4,182 square feet of protected shoreland in order to replace various parts of the septic system, a sewer force main, and new water lines.

APPROVE PERMIT

Impact 4,182 square feet of protected shoreland in order to replace various parts of the septic system, a sewer force main, and new water lines.

01/27/2020 to 02/02/2020

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey & Engineering, Inc. dated December 30, 2019 and received by the NH Department of Environmental Services (NHDES) on January 8, 2020.
2. The proposed septic system portions to be replaced may not be installed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 9.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 13,201 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2020-00039

NEUWIRT, SUSAN

CROYDON SPECTACLE POND

Requested Action:

Impact 11,700 square feet of protected shoreland in order to construct a primary dwelling and garage with well, septic, and driveway.

APPROVE PERMIT

Impact 11,700 square feet of protected shoreland in order to construct a primary dwelling and garage with well, septic, and driveway.

With Conditions:

1. All work shall be in accordance with plans by Riverside Ecological Designs LLC dated January 2, 2020 and received by the NH Department of Environmental Services (DES) on January 8, 2020.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into

01/27/2020 to 02/02/2020

areas in which impacts have not been approved.

4. No more than .03% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

5. Native vegetation within an area of at least 12,978 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

2020-00054

CITY OF DOVER

DOVER COCHECO RIVER

Requested Action:

Impact 16,593 square feet of protected shoreland in order to construct a pedestrian trail.

APPROVE PERMIT

Impact 16,593 square feet of protected shoreland in order to construct a pedestrian trail.

With Conditions:

1. All work shall be in accordance with plans by Fuss & O'Neill dated January 2018 and received by the NH Department of Environmental Services (DES) on January 10, 2020.

2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.

3. No more than 11.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

4. Native vegetation within an area of at least 37,985 square feet within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2020-00057

LYONS, MATTHEW

01/27/2020 to 02/02/2020

SALEM ARLINGTON MILL RESERVOIR

Requested Action:

Impact 2,000 square feet of protected shoreland in order to construct an addition, patio and deck to the existing primary structure.

APPROVE PERMIT

Impact 2,000 square feet of protected shoreland in order to construct an addition, patio and deck to the existing primary structure.

With Conditions:

1. All work shall be in accordance with plans by Meisner Brem Corporation dated January 8, 2020 and received by the NH Department of Environmental Services (DES) on January 13, 2020.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 26.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The proposed (stormwater management structures) shall be installed and maintained to effectively absorb and infiltrate stormwater.
9. Photographs documenting the construction of the proposed (stormwater management structures) shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
10. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2020-00074

CARIGNAN 2000 FAMILY TRUST

EAST WAKEFIELD STUMP POND

Requested Action:

Impact 6,520 square feet of protected shoreland in order to remove steps and retaining walls to construct an addition with stormwater management with a deck and steps onto the primary structure, replace septic system components, construct an extension of driveway with stormwater management, a shed with stormwater management and a stairway with two decks.

01/27/2020 to 02/02/2020

APPROVE PERMIT

Impact 6,520 square feet of protected shoreland in order to remove steps and retaining walls to construct an addition with stormwater management with a deck and steps onto the primary structure, replace septic system components, construct an extension of driveway with stormwater management, a shed with stormwater management and a stairway with two decks.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey & Engineering, Inc. dated January 13, 2020 and received by the NH Department of Environmental Services (NHDES) on January 14, 2020.
2. The proposed foundation shall not be constructed until any approval as may be required under RSA 485-A and Rules Env-Wq 1000 is obtained from NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 12.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 5,444 square feet within the Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The proposed infiltration trenches shall be installed and maintained to effectively absorb and infiltrate stormwater.
11. Photographs documenting the construction of the proposed infiltration trenches shall be submitted to the Department within 30 days of the completion of construction.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
15. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

FORESTRY SPN

2020-00133

NEIL, JAMES

LYMAN Unnamed Stream

COMPLETE NOTIFICATION

LYMAN; TAX MAP# 237; LOT(S)# 4,5,6

2020-00135 KUMM, JOHN

TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION
TAMWORTH; TAX MAP# 407; LOT# 42

2020-00144 BAYROOT LLC

SHELBURNE Unnamed Stream

COMPLETE NOTIFICATION
SHELBURNE; TAX MAP# 2; LOT# 2

2020-00151 WOLF TRUST, BEVERLY

NEWBURY Unnamed Stream

COMPLETE NOTIFICATION
NEWBURY; TAX MAP# 17; LOT(S)# 532/457; BLOCK(S)# 44/219

2020-00157 LANGTON, ANNE

WAKEFIELD Unnamed Stream

COMPLETE NOTIFICATION
WAKEFIELD; TAX MAP# 150; LOT(S)# 17,18

2020-00159 WINDSOR WARD PEAK TREE FARM

WARNER Unnamed Stream

COMPLETE NOTIFICATION
WARNER; TAX MAP# 4; LOT# 17

2020-00166 TURNER, HANSEL

HILLSBOROUGH Unnamed Stream

COMPLETE NOTIFICATION
HILLSBOROUGH; TAX MAP# 002; LOT# 32

TRAILS SPN

2020-00093 JERRY-WOLCOTT, JOCELYN
 CITY OF CONCORD
 DEOSS DISTER REV TRUST
 LASSONDE III, HAROLD

CONCORD Unnamed Stream

COMPLETE NOTIFICATION
Replace culvert as part of trail restoration.

UTILITY SPN

*** *****

2020-00034 EVERSOURCE ENERGY

NORTHWOOD Unnamed Stream

COMPLETE NOTIFICATION
Equipment repair and maintenance in ROW. Overhead electric lines.

2020-00142 EVERSOURCE

MILTON Unnamed Stream

COMPLETE NOTIFICATION
Replace one utility pole.

2020-00165

EVERSOURCE ENERGY

LITCHFIELD Unnamed Stream

COMPLETE NOTIFICATION
1) Replace 10 utility structures.

CULVERT REPAIR AND REPLACEMENT SPN

2020-00145

BEZANSON, MICHAEL

ROCHESTER Unnamed Stream

COMPLETE NOTIFICATION
Replace drainage culvert and move outlet outside of wetland.

SMALL MOTOR MINERAL DREDGE

2020-00019

ANDERSON, NICHOLAS

(ALL TOWNS) Unnamed Stream

COMPLETE NOTIFICATION
Small Motor Mineral Dredge

2020-00065

GAGLIONE, ELIA

(ALL TOWNS) Unnamed Stream

COMPLETE NOTIFICATION
Small Motor Mineral Dredge

2020-00066

FLANDERS, GEOFFREY

(ALL TOWNS) Unnamed Stream

COMPLETE NOTIFICATION
Small Motor Mineral Dredge

2020-00101

MARTEL, KEVIN

(ALL TOWNS) Unnamed Stream

COMPLETE NOTIFICATION
Small Motor Mineral Dredge

2020-00178

PICKOWICZ, PAUL

(ALL TOWNS) Unnamed Stream

COMPLETE NOTIFICATION
Small Motor Mineral Dredge